

CITY OF CLEVELAND
REQUEST FOR PROPOSAL FOR

FMLA ADMINISTRATION SERVICES

April 20, 2015

To Whom It May Concern:

The City of Cleveland, through its Director of Human Resources is soliciting proposals from qualified firms interested in administering FMLA.

If your firm is interested, please submit to the City no later than 12:00 noon, Eastern Time, on Wednesday, May 20, 2015. Please provide original and (9) complete duplicates of your technical proposal and your fee proposal, in hard copy and an e-mailed copy sent to simon_mastroianni@ClevelandWater.com. Submit the technical proposal and the fee proposal in separate sealed envelopes, marked appropriately on the outside and, if possible, enclosed in one package.

No proposals will be accepted after that date and time unless the City extends the deadline by a written addendum.

Sealed proposals may be mailed or delivered to the address below and must be identified on the outside of the envelope(s) as: **“Response to RFP to Provide Family Medical Leave (FMLA) for The City of Cleveland”**

Attention:
Simon Mastroianni
City of Cleveland
1201 Lakeside Ave.
4 South
Cleveland, Ohio 44114

If proposals are hand-delivered, proposals should be addressed as above and taken to Simon Mastroianni, **Department of Public Utilities, 1201 Lakeside Avenue, 4S, Cleveland, Ohio 44114**. Faxed submissions will not be entertained.

The City reserves the right to reject any or all proposals or portions of them, to waive irregularities, informalities, and technicalities, to re-issue or to proceed to obtain the service(s) desired otherwise, at any time or in any manner considered in the City's best interests. The Director may, at her sole discretion, modify or amend any provision of this notice or the RFP.

Deadline for questions or written requests for clarification is Friday, May 4, 2015 and must be submitted in writing to:

Dominic Rapposelli
Labor Relations Officer
City of Cleveland Department of Human Resources
601 Lakeside Ave., #121
Cleveland, Ohio 44114
drapposelli@city.cleveland.oh.us

The selected provider will be notified as soon as practical after analysis of all proposals required in compliance with this request. The City reserves the right to review details of services with potential vendors to ensure system compatibility prior to contract award.
The City may conduct Finalist meetings the week of June 1, 2015.

It is anticipated that the contract will be effective no later than July 1, 2015.

It is our hope that this RFP will be self –explanatory, however if you need additional information, please call or email me at (216) 664-2498 or drapposelli@city.cleveland.oh.us

Sincerely,

Dominic Rapposelli
Labor Relations Officer
Department of Human Resources
City of Cleveland, Ohio

City of Cleveland FMLA RFP

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Illustration of Key Dates

The City anticipates it will - but neither promises nor is obligated to - process proposals received according to the following schedule:

Milestone	Date	Time
Release Request for Proposal (RFP)	April 20, 2015	12:00 P.M.
Deadline to Submit Questions RE: RFP	May 4, 2015	5:00 P.M.
Deadline to Submit Proposals	May 20, 2015	12:00 P.M.
Finalist Meeting(s) (if applicable)	Week of June 1, 2015	Arranged upon selection
Contract Start Date	July 1, 2015	N/A

Scope of Services

The objective of this City of Cleveland Request for Proposal (RFP) is to secure a vendor who will implement and administer the FMLA process for the City of Cleveland's pilot Departments, comprised of approximately 3,700 employees. The ultimate goal is to prove that the administrator, when selected, can eventually implement a City-wide FMLA administration solution. If approved, we expect that transition to the selected vendor will commence on or about July 1, 2015.

The City's administration of FMLA claims are semi-centralized, with requests from all Departments evaluated in the Department of Human Resources. Part of the process still is still handled by Human Resources Liaisons. Though effective, this process struggles with absence review consistency and reduces the ability for the City to ensure FMLA leave is being used in compliance with approvals. The scope of this Request for Proposal encompasses full FMLA benefits. The organization selected must be able to provide the following services for the City of Cleveland:

1. Claim Management and Processing

- Issuance of initial FMLA claim package to employee
- Determination of FMLA leave eligibility
- Preparation of approval and denial notifications to employees
- Verification of medical certification
- Notification to employer and employee of FMLA end date
- Detailed case management
- Efficient FMLA claim processing (i.e. within Department of Labor mandates)
- Access to FMLA medical specialists and attorneys
- Advice/counsel on FMLA abuses and non compliance
- Action plan to address instances of FMLA/sick leave abuse
- Improved communication to management and employees on FMLA issues
- Customer service, call center and/or help desk; including bilingual services
- Coordination with other city leave related benefits – Workers Compensation, and other disability leaves

2. Claim Tracking, Documentation and Reporting

- Tracking of all employee FMLA requests and absences
- Tracking of FMLA utilization by employees including recertification, intermittent, etc.
- Complete documentation for each FMLA claim, including documentation of communications with employees
- Ability to track FMLA leave concurrently with Bureau of Workers' Compensation claims or other disability leaves
- Track reduction in absenteeism and lost time to control cost of absenteeism
- Technology or automated tracking tools and resources
- Detailed reports on employee FMLA usage
- Reports to preview program results, including ROI
- Data backup, security and disaster recovery plan

3. FMLA Compliance

- Compliance with state and federal FMLA laws
- Compliance with HIPAA privacy requirements
- Impact on employee productivity and morale by fair and consistent application of FMLA requirements
- Reduction in absence-related expenses through more efficient, automated administration and closer communication with the interested parties
- Review of existing City Policies and Procedures
- Best practices in absence management

The City reserves the right to modify the scope of services at any time before execution of a contract to add, delete, or otherwise amend any item(s), as it deems necessary, in its sole judgment, and in the best interest of the City.

Background and History

The City of Cleveland (the City) is a municipal corporation with approximately 8,000 employees. The purpose of this Request for Proposal is to gather information from your organization relative to the City's required scope of service and key selection criteria. Organizations selected as finalists may be expected to address more detailed issues regarding financial and other specifics of their organization and operations. These same finalists may be expected to participate in interviews with the City.

The Department of Human Resources facilitates the effective delivery of City of Cleveland services by maintaining professional human resources practices and programs. The Department of Human Resources services the City by spearheading the best Human Resources practices, acting as stewards of change as well as establishing and maintaining fair and transparent employment practices. To accomplish its mission, the Department of Human Resources coordinates with other City Departments, Divisions, Boards and Commissions to attract, recruit, retain, motivate and develop the City of Cleveland's workforce; foster equal employment opportunities for Cleveland citizens; maintain a safe and lawful work environment for City employees; and establish cost effective procedures.

The City of Cleveland currently administers Family Medical Leave Act (FMLA) in a semi-centralized fashion. In an effort to uphold fair treatment for all City employees, the Department of Human Resources evaluates all FMLA requests and issues notifications of approval, denial and need for additional information/clarification. Each Department still has one or more Human Resources Liaisons who is responsible for the issuance of Department of Labor information packets, “Rights and Responsibilities” issuances and the retrieval of requests in their Department. They also upload all documents into the City’s electronic module, which is a private webpage within the City of Cleveland’s Microsoft SharePoint network. The Department of Human Resources’ SharePoint page is another location where employees may find Department of Labor FMLA forms and packets. Departmental Liaisons are also responsible for keeping Departmental/Divisional timekeepers abreast of FMLA approval dates and frequencies for employees within their areas. The City exhausts paid sick time for all FMLA leaves first, before other benefit time is utilized. FMLA at the City is administered on a “rolling” 12-month period measured backward from the date of any FMLA leave usage and there is currently no intent to change that method.

Tracking FMLA “intermittent leave” frequencies and absences is done manually, which is challenging and far from ideal. Furthermore, the failure to accurately record FMLA time used has been an issue as the City of Cleveland lacks a centralized way for employees to notify the City of their intent to use FMLA. This result in inconsistent timekeeping and needs for recertification are not flagged consistently.

The City currently counts Workers’ Compensation leave against an employee’s FMLA benefits. An Office of Risk Management handles Workers’ Compensation claims, thus allowing the City to approve FMLA concurrently upon Departmental Liaisons’ receipt of “Medco” documents.

The Department of Human Resources is partnering with its Departments of Public Utilities, Public Health and its Department of Port Control to implement a “pilot” third party administration of FMLA, which the City intends to analyze to determine the feasibility of transitioning from the existing program structure to a third-party managed program. There are approximately 3,700 employees within the pilot Departments.

Project Schedule and Deliverables

The City has established the following list that the vendor will be required to provide as deliverables. The City reserves the right to modify the list of deliverables at any time before execution of a contract to add, delete, or otherwise amend any report or other deliverable, as it deems necessary, in its sole judgment, and in the best interest of the City.

- The City reserves the right to add related services as needed.
- Unless otherwise expressly provided, the term of the Agreement shall begin upon its date of execution and, unless extended by City or unless sooner canceled or terminated under the provisions of the Agreement, shall expire when all required deliverables have been submitted to and approved by the Director and

all other Services have been satisfactorily performed and accepted by the Director ("Term").

Proposal Requirements

- **Submission of Proposal**

Each proposer shall submit its proposal(s) in the number, form, and manner, and by the date and time and at the location required in the section, **Introduction and Background** above.

- Each Proposer shall provide all information requested in this Request for Proposal. The proposer must organize its proposal package to address each of the elements in this RFP. The proposer should carefully read all instructions and requirements and furnish all information requested. If a Proposal does not comply with all terms, conditions, and requirements for submittal, the City may consider it unacceptable and may reject it without further consideration.
 - The City wishes to promote the greatest feasible use of recycled and environmentally sustainable products and to minimize waste in its operations. To that end, all proposals should comply with the following guidelines: Unless absolutely necessary, copies should minimize or eliminate use of non-recyclable or non re-usable materials. Materials should be in a format permitting easy removal and recycling of paper. A proposer should, to the extent possible, use products consisting of or containing recycled content in its proposal including, but not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Do not submit any or a greater number of samples, attachments or documents not specifically requested.
 - If you find discrepancies or omissions in this RFP or if the intended meaning of any part of this RFP is unclear or in doubt, send a written request for clarification or interpretation to Dominic Rapposelli, City of Cleveland, 601 Lakeside Ave., #121, Cleveland, Ohio 44114 no later than **May 4th**. Requests for clarification or interpretation may be submitted via e-mail to drapposelli@city.cleveland.oh.us.
- **The City's Rights and Requirements**
 - The Director, at her sole discretion, may require any Proposer to augment or supplement its proposal or to meet with the City's designated representatives for interview or presentation to further describe the Proposer's qualifications and capabilities. The requested information, interview, meeting, or presentation shall be submitted or conducted, as appropriate, at a time and place the Director specifies.
 - The City reserves the right, at its sole discretion, to reject any proposal that is incomplete or unresponsive to the requests or requirements of this RFP. The City reserves the right to reject any or all proposals and to waive and accept any informality or discrepancy in the proposal or the process as may be in the City's best interest.

- **Proposal as a Public Record**

Under the laws of the State of Ohio, all parts of a proposal, other than trade secret or proprietary information and the fee proposal may be considered a public record which, if properly requested, the City must make available to the requester for inspection and copying. Therefore, to protect trade secret or proprietary information, the Proposer should clearly mark each page - but only that page - of its proposal that contains that information. The City will notify the proposer if such information in its proposal is requested, but cannot, however, guarantee the confidentiality of any proprietary or otherwise sensitive information in or with the proposal. Blanket marking of the entire proposal as “proprietary” or “trade secret” will not protect an entire proposal and is not acceptable.

- **Cleveland Area Business Code**

Requirements. During performance of this Agreement, Contractor shall comply with all applicable requirements of the *Cleveland Area Business Code*, Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976 (“C.O.”), and any *Regulations* promulgated under the *Code*, which *Code* and *Regulations* are incorporated into and made part of this RFP by this reference as fully as if rewritten in it or attached. Specifically, compliance under any resulting agreement shall include, but not be limited to, the Contractor’s:

- Compliance with its proposal representations regarding CSB, MBE, and/or FBE participation in performance of the Agreement;
- Compliance and cooperation with Project Monitors, whether from the Mayor’s Office of Equal Opportunity (the “OEO”) or the contracting department;
- Accurate, complete, and on-time submission of all reports, forms, and documents including, but not limited to, employment reports, certified payrolls, monitoring forms, and other information the Director of the OEO may require, whether in printed or electronic form, to ascertain and verify Contractor’s compliance; and
- Attendance at and participation in all required project meetings, including OEO compliance meetings, and progress meetings called by the contracting department director(s) at key intervals during performance of the contract services (e.g. 25% completion, 50% completion, 75% completion).

Failure to Comply. When determining the contractor’s future eligibility for a City contract, the City shall consider a contractor’s failure to comply with the representations of its proposal and the requirements under the *Code* as a failure to faithfully perform a contract.

- Under the *Cleveland Area Business Code*, the City of Cleveland is firmly committed to assisting Minority Business Enterprises (MBEs), Female Business Enterprises (FBEs), and Cleveland- area small businesses (CSBs) by providing and enhancing economic opportunities to participate in City contracts. The successful proposer for a contract will be a firm that shares that commitment. Accordingly, a proposer is strongly encouraged to utilize

the services of qualified MBE/FBE/CSB sub-consultants that are certified by the Mayor's Office of Equal Opportunity (the "OEO") in its proposal.

- The standard subcontracting goal for professional services contracts is 10% Cleveland Area Small Business ("CSB") subcontractor participation. Please review the attached Office of Equal Opportunity documents to ascertain the goal for the proposed contract. Proposers are required to make a good-faith effort to subcontract portions of the work to certified Minority Business Enterprise ("MBE"), Female Business Enterprise ("FBE"), and CSB firms, consistent with the subcontracting goal(s) applicable to this RFP.
- To document its good-faith effort to utilize certified MBE, FBE and CSB sub-consultants, each proposer must complete Schedules 1 through 4 found in the *Cleveland Area Business Code - Notice to Bidders and Schedules*. These schedules identify the Proposer's proposed use of MBE, FBE and CSB sub-consultants on the project, which evidences the proposer's good-faith effort to obtain the participation of certified sub-consultants. The Proposer shall submit the completed forms with its proposal and they will be forwarded to the City's Office of Equal Opportunity for evaluation. Failure to submit complete schedules may result in the rejection of a proposal.

Proposers may obtain a listing of firms certified by the OEO as CSBs, MBEs and FBEs by checking the City's website at <http://www.city.cleveland.oh.us>. On the home page, select "Office of Equal Opportunity" from the drop-down menu of City departments. On the Office of Equal Opportunity page, you will find a selection in the left-hand column for "CSB/MBE/FBE Registry".

Proposers are responsible for obtaining the most current list and for contacting potential CSB/MBE/FBE sub-consultants. The City assumes no responsibility for matching prime consultants with qualified, certified MBE, FBE, and/or CSB sub-consultants.

The City's Office of Equal Opportunity will monitor participation of MBE, FBE, and/or CSB sub-consultants throughout the duration of the engagement or project. The successful proposer, as contractor, will be responsible for providing the OEO with all information necessary to facilitate this monitoring.

The *Cleveland Area Business Code*, any *Regulations* promulgated under the *Code*, and the *OEO Notice to Bidders & Schedules* are, by this reference, incorporated in and made part of this solicitation and any resulting contract as fully as if written in it or attached.

- The successful proposer, as contractor, will be required to comply with all terms, conditions, and requirements imposed on a "contractor" in the following *Equal Opportunity Clause*, Section 187.22(b) of the Cleveland Codified Ordinances, and shall make the Clause part of every subcontract or agreement entered into for services or goods and binding on all persons and firms with which the proposer may deal, as follows: No Contractor shall discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, national origin, age, disability,

ethnic group or Vietnam-era or disabled veteran status. Contractors shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. As used in this chapter, “treated” means and includes without limitation the following: recruited whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship, promoted, upgraded, demoted, transferred, laid off and terminated. Contractors shall post in conspicuous places available to employees and applicants for employment, notices to be provided by the hiring representative of contractors setting forth the provisions of this nondiscrimination clause.

- Within 60 calendar days after entering into a contract, the successful Proposer, as Contractor, shall file a written affirmative action program with the OEO containing standards and procedures and representations assuring that the Contractor affords all qualified employees and applicants for employment equal opportunities in the Contractor’s recruitment, selection, and advancement processes.

- **Term of Proposal’s Effectiveness**

By submission of a proposal, the Proposer agrees that its proposal will remain effective and eligible for acceptance by the City until the earlier of the execution of a final contract or 180 calendar days after the proposal submission deadline.

- Execution of a Contract

The Successful Proposer shall, within ten (10) business days after receipt of a contract prepared by the City Director of Law, exclusive of Saturdays, Sundays and holidays, execute and return the contract to the City together with evidence of proper insurance and intent to conform to all requirements of the contract. Attached hereto or which are a part hereof and all applicable federal, state and local laws and ordinances prior to or at the time of execution of the contract.

- “Short-listing”

The City reserves the right to select a limited number (a “short list”) of Proposers to make an oral presentation of their qualifications, proposed services, and capabilities. The City will notify the Proposers selected for oral presentations in writing.

- Proposer’s Familiarity with RFP; Responsibility for Proposal

By submission of a proposal, the Proposer acknowledges that it is aware of and understands all requirements, provisions, and conditions in and of this RFP and that its failure to become familiar with all the requirements, provisions, conditions, and information either in this RFP or disseminated either at a pre-proposal conference or by addendum issued prior to the proposal submission deadline, and all circumstances and conditions affecting

performance of the services to be rendered by the successful proposer will not relieve it from responsibility for all parts of its Proposal and, if selected for contract, its complete performance of the contract in compliance with its terms. Proposer acknowledges that the City has no responsibility for any conclusions or interpretations made by Proposer on the basis of information made available by the City. The City does not guarantee the accuracy of any information provided and Proposer expressly waives any right to a claim against the City arising from or based upon any incorrect, inaccurate, or incomplete information or information not otherwise conforming to represented or actual conditions.

- **Interpretation**

The City is not responsible for any explanation, clarification, interpretation, representation or approval made concerning this RFP or a Proposal or given in any manner, except by written addendum. The City will mail, e-mail, or otherwise deliver one copy of each addendum issued, if any, to each individual or firm that requested and received a RFP. Any addendum is a part of and incorporated in this RFP as fully as if originally written herein.

Qualifications for Proposal

Each Proposer, regardless of the form of its business entity, must meet the following requirements. Failure to meet all requirements may be cause for rejection of a proposal. If Proposer is a partnership or a joint venture, at least one general partner or constituent member must meet the requirements. Each Proposer must:

- Provide evidence that it has a minimum of 5 continuous years of experience within the last 5 years of providing and implementing FMLA services to the required services and deliverables described in this RFP.
- Be authorized to conduct business in the State of Ohio, County of Cuyahoga and the City of Cleveland.
- Possess or demonstrate it qualifies for all applicable licenses, certificates, permits, or other authorizations required by any governmental authority, including the City, having jurisdiction over the operations of the Successful Proposer and the proposed services.
- Submit with its proposal at least three (3) written, verifiable, references dated within the last three months from clients for which the Proposer has rendered services substantially similar to those sought by this RFP, and recommending Proposer for selection for such services.

Insurance:

The Successful Proposer, at its expense, shall at all times during the term of the contract resulting from this RFP, maintain the following insurance coverage. The insurance company(ies) providing the required insurance shall be authorized by the Ohio Department of Insurance to do business in Ohio and rated "A" or above

by A. M. Best Company or equivalent. The Successful Proposer, as contractor, shall provide a copy of the policy or policies and any necessary endorsements, or a substitute for them satisfactory to and approved by the Director of Law, evidencing the required insurances upon execution of the contract.

- Professional liability insurance with limits of not less than \$1,000,000.00 for each occurrence and subject to a deductible for each occurrence of not more than \$25,000.00 per occurrence and in the aggregate, and if not written on an occurrence basis, shall be maintained for not less than two (2) years after satisfactory completion and written acceptance of the services under the contract.
- Workers' compensation and employer's liability insurance as provided under the laws of the State of Ohio.
- Statutory unemployment insurance protection for all of its employees.
- Such other insurance coverage(s) as the City may reasonably require.

Proposal Contents

Each proposal shall include the following parts in the below order. Please separate and identify each part by tabs for quick reference. Each proposal should be organized so as to facilitate its evaluation.

- **Cover Letter:** The cover letter shall identify and introduce the Proposer and provide other general information about Proposer's business organization including, at least, in one or more attachments or in the Proposal, Proposer's name, principal address, federal ID number, telephone and facsimile numbers, and e-mail address.

If a corporation, provide the state of incorporation, and the full name, title, and experience of each high level corporate officer. If the Proposer is not an Ohio corporation, please state whether or not the Proposer is qualified to do business in the State of Ohio as a foreign corporation. A foreign corporation must provide evidence, prior to execution of a contract, that is qualified to do business in the State of Ohio or it must register with the Ohio Secretary of State.

If the Proposer is a sole proprietorship, state the name of the proprietor doing business.

If a partnership, state the full name, address and other occupation, if any, of each partner; whether the partner is a general or limited partner, and whether active or passive; state each partner's experience and the proportionate share of the business owned by each partner.

If a joint venture, state the name of each firm participating in the joint venture and each principal officer of each firm; each officer's experience and the proportionate share of the joint venture owned by each joint venture partner.

- **Executive Summary:** The Executive Summary should provide a complete and concise summary of Proposer's background, area(s) and level(s) of expertise,

relevant experience and ability to meet the requirements of this RFP. The Executive Summary should briefly state why Proposer is the best candidate for the engagement. The Summary should be organized so it can serve as a stand-alone summary apart from the remainder of the proposal.

- **Exceptions:** Proposer shall itemize any exceptions it has to the RFP. If it has no exceptions to or deviations from any part of this RFP, it shall so state on an “Exceptions” page. If no deviations or exceptions are identified, Proposer understands that if the City accepts the Proposer’s proposal, it must comply with and conform to all of the requirements of the RFP.
- **Qualifications:** In the Qualifications section, each Proposer should state in detail its qualifications, and experience, and how its services and/or products are unique and best suited to meet the requirements and intent of this RFP. Proposer may include as much information as needed to differentiate its services and product(s) from other Proposers. At a minimum, please include, the following:
 - How Proposer meets or exceeds qualifications;
 - A description of the nature of the firm’s experience in providing the service(s) and/or product(s) sought by this RFP and state the number of persons currently employed for such purpose;
 - The total number of such engagements and the clients comparable to the City for which the firm has provided like or similar services within the last five (5) years;
 - The name, location, and date of all Proposer’s agreements for like services that have been terminated, canceled, or suspended prior to completion of the engagement or expiration of the full term within the past five (5) years, and any judgment terminating, or any pending lawsuits or unresolved claims or disputes for damages or termination of such agreements within the past five (5) years; and
 - The names and addresses of at least three (3) references for the firm’s professional capabilities. Include the name, e-mail address, and telephone number of a contact person.

- **Proposed Services:**

Proposer shall describe in detail how Proposer’s management and operating plan for delivery of the services for the engagement or project will achieve the intent and goal(s) of the RFP. In its response to this sub-section, Proposer shall provide or describe:

- An organizational chart specific for the proposed engagement or project;
- Resumes of key management personnel;
- An operational plan describing in detail how Proposer will achieve the intent and purpose(s) of the engagement or project;
- If applicable, a detailed description of the professional services/training to be provided;
- Trouble shooting/follow-up protocols;

- Project management tools to be used in implementation:
 - Sample Service Level Agreement (SLA) for FMLA administration
 - Change management plan for City employees
 - Examples of standard reporting
 - To what degree does this proposal meet stated service requirements?
- **Description of Completed Project:** Proposer shall submit a detailed description of the engagement or project, as completed for submission.
 - **Environmental Sustainability:** Describe how the proposed services/ project/ solution incorporated environmental sustainability
 - **Fee Proposal:** Proposer should submit their fee proposal for all its services in a separately sealed envelope clearly marked on the outside. Itemize the fee by project phase or other divisible unit completed, in dollars and percentage, or by deliverable. Proposer shall provide its best estimate of expenses including, but not limited to, travel and associated expenses. No qualification of the financial offer will be accepted. The fee proposal shall be a firm and final amount including the costs and expenses for all anticipated services.
 - **Financial Information:** The Proposer shall include the following financial information:
 - Balance sheet and income statement for the last two (2) fiscal years, prepared in accordance with generally accepted accounting principles, reflecting the current financial condition of the Proposer. If a publicly held corporation, the Proposer should provide in lieu of the foregoing: consolidated financial statements as submitted to the Securities and Exchange Commission (“SEC”) on Form 10K, the most recent Form 10Q, and any Forms 8K filed with the SEC in the last 12 months. Owners of closely-held corporations must submit a personal financial statement, current to within 6 months of the proposal date;
 - Ownership of the Proposer. If the Proposer is a corporation and its outstanding stock is held by fewer than 10 persons, the name and residence address of each shareholder and his/her shares of outstanding stock must be listed.); and
 - Three bank and three trade references.
 - **Proposers Affidavit:** Proposer shall submit with its proposal an affidavit stating that neither it nor its agents, nor any other party acting for it has paid or agreed to pay, directly or indirectly, any person, firm or corporation any money or valuable consideration for assistance in procuring or attempting to procure the contract proposed to result from its proposal, and further agreeing that no such money or reward will be paid.
 - **Additional Required Documents:** Proposer shall complete, execute, and return with its proposal the following documents, blank copies of which are attached to this RFP:

- The Office of Equal Opportunity *Notice to Bidders and Schedules*;
- Federal *Form W-9* including Taxpayer Identification Number;
- *Non-Competitive Bid Contract Statement for Calendar Year 2015*

Proposal Evaluation; Selection Criteria

- **Evaluation Methodology.** The City department/division issuing this RFP will evaluate each proposal submitted. The department will present its recommendations to the City Board of Control (“Board”). The Board may, but shall not be obligated to, entertain formal presentations. The Board may approve one or more contracts to one or more firms. The City will only consider proposals that are received on or before the proposal submission deadline, and which meet all the requirements of this RFP. The City reserves the right to request a “best and final offer” from Proposers meeting the minimum requirements.
- **Scoring of Proposals.** The City will score each Proposal in each of the following categories:
 - Experience and Size of Staff Dedicated to the City
 - Does the bidder have a proven track record in this type of project?
 - Implementation Timeline and Program Management Plan
 - To what degree does this proposal meet the stated delivery and/or implementation requirements?
 - Proposed Services
 - Proposed Fees
 - How does the proposed price compare to the planned budget and to other proposals’ fees and services proposed?
 - Sustainability
 - Absence/Leave Monitoring Capability
 - Service Level Guarantee
 - To what degree does the proposal meet the stated contractual terms & conditions?
 - User Interface Accessibility
 - To what degree does bidder address physical solution (software, licenses, etc.)
 - Insurance: To what degree does this proposal meet stated insurance/warranty/City requirements?

The ratings are not intended or to be interpreted as a reflection of a Proposer’s professional abilities. Instead, they reflect the City’s best attempt to quantify each

Proposer's ability to provide the services sought by the City and to meet the specific requirements of this RFP, for comparison purposes. In the quantification process technical merit will be given a greater weight within a relevant range. Thus a proposal with a higher technical ranking can be selected even if the price is not the lowest.

- **Disqualification of a Proposer/Proposal:** The City does not intend by this RFP to prohibit or discourage submission of a proposal that is based upon a Proposer's trade experience in relation to the nature or scope of work, services, or product(s) described in this RFP or to prescribe the manner in which its services are to be performed or rendered.

The City will not be obligated to accept, however, significant deviations from the work or services sought by this RFP, including terms inconsistent with or substantially varying from the services or the financial and operational requirements of the RFP, as determined solely by the City. The City reserves the right to reject any proposal that does not furnish or is unresponsive to the information required or requested herein. The City reserves the right to reject any proposal or to waive or to accept any deviation from this RFP or in any step of the proposal submission or evaluation process so as to approve the award of the contract considered in the City's best interest, as determined in the City's sole discretion.

Although the City prefers that each Proposer submit only one proposal including all alternatives to the proposal that the Proposer desires the City to consider, it will accept proposals from different business entities or combinations having one or more members in interest in common with another Proposer. The City may reject one or more proposals if it has reason to believe that proposers have colluded to conceal the interest of one or more parties in a proposal, and will not consider a future proposal from a participant in the collusion. In addition, the City will not accept a proposal from or approve a contract to any Proposer that is in default as surety or otherwise upon an obligation to the City or has failed to perform faithfully any previous agreement with the City, or is currently in default under any agreement with the City.

The City reserves the right to reject any or all proposals. Failure by a Proposer to respond thoroughly and completely to all information and document requests in this RFP may result in rejection of its proposal. Further, the City reserves the right to independently investigate the financial status, qualifications, experience, and performance history of a Proposer.

The City reserves the right to cancel the approval or authorization of a contract award, with or without cause, at any time before its execution of a contract and to later enter into a contract that varies from the provisions of this RFP, if agreed to by another Proposer.

QUESTIONNAIRE

Note: A complete response to this questionnaire must accompany all Requests for Proposals. A response such as “See Proposal” is **not** sufficient unless there is proper reference to the specific section of the proposal addressing the question. Please be specific in your answers.

1. For how many clients to you currently provide leave of absence administration services? What is the total number of lives you service?
2. Number of years your company has been providing the requested Services/Products internally defined for the scope of services defined in this Request for Proposal?
3. If you are a subsidiary corporation or corporate division, please indicate the name of your parent corporation.
4. Does your company, your parent, or subsidiaries currently have a purchase agreement with the client?
5. Have any contracts to which your firm was a party ever been terminated early? If so please provide details?
6. Are there any lawsuits for breach of contractual obligations to any entity in the company’s history? If yes, please list them and indicate whether or not they may affect services you provide the City.
7. What are your strategic competitive advantages?
8. Please indicate your total number of employees.
9. How many years has your company been in business? Do you have other Municipalities as clients? If so, how many?
10. Do any Municipality clients utilize the services proposed within your proposal?

Please answer the following questions about your capabilities around Account Support & Client Service.

1. Where is your leave processing service center(s) located? Is there any component of your leave processing that is done in an off-shore facility? If yes, please provide the location(s).
2. Will your regional and/or global account manager(s) be a resource dedicated to this account?
3. Would your account manager be co-located with the service team?
4. Please identify each key individual who will be a part of the dedicated team serving the City’s needs and their percentage of time dedicated to the client.
5. Will you have the capacity to provide key City’ employees with cross training on your firm’s FMLA policy, system navigation and procedures to be used?

6. Can you demonstrate how your firm will ensure compliance with federal, State, the City's regulations along with the Americans with Disabilities Act?
7. Does your system have the ability to eliminate duplicating data entry and consistently apply and enforce FMLA rules associated with the requests?

Leave of Absence

1. Which types of Leave of Absence services do you currently support?
2. How do you distinguish FMLA management from other types of absence management? Which more accurately describes the services you provide to most of your customers?
3. Describe in detail how you will be able to provide end-to-end support for the entire FMLA leave process; including initiation, medical determinations, involvement of vocational rehabilitation and return-to-work (i.e. can you check eligibility of employees? Have they worked 1,250 hours in the past year? How many FMLA hours does the employee have available?)
4. How does your firm propose to handle absence management, including suspected abuse of intermittent FMLA leave?
5. Is your organization able to work with the client's points of contact to support return-to-work efforts?
6. Discuss how you would monitor and implement legislative changes and how your system would support variation of requirements at both the federal and state level.
7. Will you provide support to the client (corporate and LOA points of contact in the field) for escalated leave issues (e.g., an employee who does not return-to-work)?
8. Will you take over open leaves or will your services be limited to new leaves?
9. Does your organization have nurses and/or medical professionals review all medical related LOA claims? If yes, please identify their credentials.
10. Does your organization have nurses and/or MDs on staff who serve as LOA practice/consulting leaders? If "yes", are your clients able to access these resources?
11. Does your system have the ability to handle real-time data transfers to the client's HRMS system (ADP/Kronos)?
12. Does your system have the ability to accept feeds from the client's HRMS (Kronos/ADP) issues. If so what is your recommended frequency (daily, weekly, etc.)?
13. Are you able to coordinate with our internal business area HR Points of Contact to administer paid leaves appropriately? (example: transmitting advice-to-pay to Payroll)

14. Do you have a fully integrated system that allows self-service for employees, managers and human resources?
15. Are disability and other leaves all on a single system platform to provide full integration of leave management and processes?
16. Does the system have the ability to track FMLA and intermittent FMLA?
17. Does the system provide any standard reporting (including but not limited to: Advice to Pay, Customer Service Statistics, utilization information)? Can the system categorize employees to facilitate detailed analysis?
18. Does the system allow for role-based access (i.e. employee, manager, claims manager, business unit point of contact who would be responsible for a subset of the company, etc)?
19. Does the system allow for Single-Sign On for an employee/manager from a client's system/application?
20. Does your staffing model support a single claim manager who handles a given employee's leave from end to end (i.e. manages leave from intake to return to work or transition to LTD)?
21. Do you support 24/7 claim intake?
22. Please detail your experience with public sector organizations and experience with a unionized workforce
23. Are you able to provide a dedicated customer/claims service unit? Will you be able to handle call in procedures that vary by location?
24. Are you able to support a requirement that a customer service representative contact all employees 5 days prior to their expected return-to-work date and confirm return-to-work plans?
25. Does your organization have a designated communication department who assists customers with drafting communications to employees, HR and managers?
26. Please describe the types of correspondence sent to HR and managers regarding Leave of Absence status.
27. Is your system able to automatically generate communications to HR and managers?
28. How does your firm propose to maintain confidentiality?

Please provide at least five references of employers, similar in size to our company that you currently provide the services for. Please note we will not contact the references until we have discussed reference checks with you.